

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MINNESOTA**

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DESEAN LAMONT THOMAS,

Plaintiff,

Civil No. 16-1049 (JRT/KMM)

v.

JAMES BZOSKIE,

Defendant.

**ORDER ON REPORT  
AND RECOMMENDATION**

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Desean Lamont Thomas, 228679, MCF- Rush City, 7600 525th Street, Rush City, MN 55069, *pro se* plaintiff.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Katherine Menendez dated June 2, 2016. No objections have been filed to that Report and Recommendation in the time period permitted. Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

Based upon the foregoing, and on all of the files, records, and proceedings herein, **IT IS HEREBY RECOMMENDED** that this action be **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: June 21, 2016  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court